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hours in a week the legal time for all children in manufacturing establishments; and after 1907 no boy or girl under fourteen years of age shall work in a factory between the hours of 8 p.m. and 5 a.m. The Tennessee legislature passed a law providing that after January 1, 1908, no woman or child under sixteen should work more than sixty-two hours in a week; after January 1, 1909, they are to work only sixty-one hours in a week and after January 1, 1910, only sixty hours in a week.

Hours of labor in mines were regulated in a group of Western States. A law passed in Oregon to regulate the hours of employment of persons engaged in working in any underground mines provides that eight consecutive hours in any twenty-four excluding the hours for lunch or meals, be a day's work. This does not apply in cases of emergency or to mines in the first stages of development. The penalty for violation is a fine of not less than \$50 or more than \$300 or imprisonment of not less than thirty days or not more than three months, or both. Idaho and Montana also fix eight hours as a legal day's work for such employment and also for persons working in smelters and all other institutions for the reduction and refining of ores or metals; Montana adds also all works or undertakings carried on or aided by municipal, county, or State government. The penalty for violation in Idaho is a fine of not less than \$50 and not more than \$300 or imprisonment of not more than six months or both; in Montana it is a fine of not less than \$100 and not more than \$500 or imprisonment of not less than thirty days or not more than six months, or both.

EDITH SHATTO.

**Initiative and Referendum.** In 1905, the people of Montana succeeded in getting the State legislature to submit to a popular vote, a constitutional amendment, providing for the initiative and referendum. At the ensuing election the amendment was adopted by an overwhelming majority, the vote being 36,374 in favor and 6616 against. This amendment was made effective during the 1907 session of the legislature by an act providing for the forms of initiative and referendum petitions, procedure, ballot, penalty, etc. It was also supplemented by an act providing for the initiative and referendum in towns and cities. Both went into effect in March, 1907.

Measures necessary for the immediate preservation of the public peace, health, or safety are exempt from the provisions of the law, nor may the people initiate or refer measures providing for appropriations, for the submission of constitutional amendments, or for local or special laws enumerated in art. 5, sec. 26 of the Constitution.

The State initiative provides that measures may be proposed by 8 per cent of the qualified electors of the State as determined by the vote for governor at the preceding election. The petition for the initiative must be filed with the secretary of state not less than four months before the election at which it is to be voted upon. One peculiarity of the Montana initiative is that two-fifths of the counties of the State must each furnish 8 per cent of the qualified electors of such county as signers of the petition. This is somewhat similar to the Missouri law which requires a certain percentage from each congressional district.

The State referendum may be invoked by 5 per cent of the qualified electors of the State. The percentage is determined, as in case of the initiative, by the vote for governor at the preceding election and a similar requirement is made in respect to percentages in two-fifths of the counties of the State. The petition calling for a referendum must be filed with the secretary of state within six months after the adjournment of the legislature which passed the law upon which the referendum is desired. The law also provides that a measure passed by the State legislature shall not be delayed from going into effect unless the petition calling for a referendum shall contain the signatures of 15 per cent of the qualified voters of the State in which case the law is inoperative until passed upon at an election. This requirement, in view of the trouble South Dakota has lately experienced in the "holding up" of her 1907 divorce law, appears to be of merit. In South Dakota it was found rather easy to get the required 5 per cent of signers to hold up a meritorious piece of legislation, even though public sentiment was against such action.

Montana's municipal initiative provides that ordinances, laws or resolutions may be proposed by 8 per cent of the qualified electors of a municipality. The council must take action upon such petition within sixty days and the proposed measure must be submitted to a popular vote at the next election. A special election may be called however by the petitioning of 15 per cent of the qualified electors of the city or by action of the council. The municipal law further provides that no ordinance, law, or resolution, except appropriations and emergency measures, shall go into effect until thirty days after passage. It provides that the council may submit amendments to measures proposed by the people and that the courts, upon suit being brought against council, shall decide whether such amendments shall stand.

The municipal referendum may be invoked by 5 per cent of the qualified electors of the municipality and it requires the signatures of 15

per cent to call a special election. The petition calling for such referendum must be filed with the city clerk within thirty days after the measure was passed by the city council.

AMBROSE B. BLAKE.

**Liquor Legislation.** A complete review of the liquor legislation enacted during the past year would cover a wide range of topics. Each State deals with the liquor problem in a way suited to its own conditions, hence we have as many different methods as there are States and territories. In each State and territory many questions of administration and enforcement arise each year, so that the volume of this kind of legislation becomes very large.

The main activity of the year has been in the direction of State prohibition for entire States and for specified localities; local option; and a combination of the dispensary system with local option.

State prohibition has been the classic method of dealing with the liquor problem and several States have tried the experiment. It has not always proved successful for the reason that the efficient enforcement of a moral law in any community depends upon the attitude of the people of that community toward it. No adequate provision for enforcement by State authority having been made, these laws were not strictly enforced in certain localities. As a result, local option has found favor and has largely superseded State prohibition throughout the country. This year, however, there has been a tendency toward prohibition. The Georgia legislature recently enacted a prohibition law for the entire State to take the place of the county local option law, although under the operation of the latter, the larger part of the State was "dry." Oklahoma, also, through its new constitution prohibited the manufacture and sale of liquor.

Local option has been extended to several States in addition to those already under that form of regulation. The Illinois legislature enacted a township and city local option law after a hard fought contest in which the friends of liquor secured a partial victory by eliminating the county, ward, precinct, and combination ward or precinct features of the proposed measure. Under the measure as first proposed, liquor licenses might be prohibited in any locality in various ways; first, by precincts or combination of precincts voting "no license," second, by wards or combinations of wards voting "no license," third, by the same action by townships or cities and, lastly, by counties. Colorado also joined the "local option" States, by the adoption of county and township local